

# HCBS Settings Rule Clarification: Desired Level of Integration

**The Settings Rule ensures individuals can choose the level of community integration that they want.**

To support providers in becoming compliant with the HCBS Settings Rule, we are providing clarification in key areas of the settings rule that are critical for providers to meet compliance standards.

One of the key components of the settings rule is to optimize individual initiative, autonomy, and independence in life choices, including but not limited to, daily activities, physical environment, and with whom to interact.

## Employment

### Individual Choice

- To choose whether they want to pursue competitive integrated employment or not.
- To not be interested in any particular work or pre-vocational work activity. The individual is not required to begin or to continue to explore that activity.
- To express interest in a particular type of work or pre-vocational activity.

### Provider Responsibility

- To make sure options and information are presented, then provide opportunities and experiences surrounding employment so an individual can make an informed choice about whether they want to pursue work or not.
- To help individuals explore potential interests through multiple alternative opportunities and experience.
- To provide programing or referral to another program that allow an individual to explore type of work or pre-vocational work activity that they express an interest in.

Providing informed choice for employment does not require that a provider utilize employment services. Employment services through Vocational Rehabilitation (VR), waiver services, and others should be sought when a person has expressed interest, or if they need more information or experiences to decide about pursuing competitive integrated employment.

Please review the [Opportunity for Employment flyer](#) for more information.

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## Community Integration

### Individual Choice

- To determine how often they access their community, what services they use to access their community, with whom they access their community, and what activities they choose to participate in.
- To refuse to participate in any particular community activity that they are not interested in.

### Provider Responsibility

- To provide opportunity and experience surrounding community integration so an individual can make an informed choice about whether they want to participate in community activities or not.
- To explore particular community activities that an individual expresses they are interested in through either programming, natural supports, or as a referral to another program.

Community integration goes beyond leaving the provider setting. It also ensures that Individuals:

- can access and participate in activities in settings that are available to all community members
- participate with disabled and non-disabled peers
- are as independent as possible in community activities

Please review the [Community Inclusion and Integration flyer](#) for more information.

## Integration and Informed Choice

- At no time should an individual be forced to participate in any activity they do not want to participate in
- If a person indicates they don't want to participate in an activity, an alternative should be presented
- At all times, individuals should have the opportunity to choose which activities they want to participate in

**Options:** people must have more than one option to choose from.

**Information:** people must have information on each of the options.

**Experience:** people must have experience of each of the options.



Informed Choice

As long as a provider is offering opportunities for each person to make an informed choice and meeting their expressed desires surrounding community integration and employment, the provider may be in compliance with the Settings Rule.

Submit any questions to [HCBSSettings@utah.gov](mailto:HCBSSettings@utah.gov)